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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/998,392	11/29/2001	Bhupesh Gupta	AUS920011027US1	7315

7590 11/28/2006
Mr. Volel Emile
P.O. Box 202170
Austin, TX 78720-2170

EXAMINER

SAIN, GAUTAM

ART UNIT PAPER NUMBER

2176

DATE MAILED: 11/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/998,392

Applicant(s)

GUPTA, BHUPESH

Examiner

Gautam Sain

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

- 1) This is a Nonfinal rejection in response to the Appeal Brief filed on 9/5/2006.
- 2) Claims 1-15 are pending.
- 3) Effective filing date is 11/29/2001.

REOPENING PROSECUTION

- 4) In view of the Appeal Brief filed on 9/5/2006, PROSECUTION IS HEREBY REOPENED. New grounds of rejections are set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below.


Heather R. Herndon
Supervisory Patent Examiner
Technology Center 2100

Claim Rejections - 35 USC § 103

5) The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5-1) Claims 1-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Meyerzon et al (US 6547829, filed Jun 30, 1999).

Regarding independent claim 1, 4, 7 and 10, Meyerzon teaches comparing bookmarked web pages in a bookmark folder with the web pages in the categories; and determining all the web pages in the categories that are the same as the bookmarked web pages. For example, Meyerzon discloses a method for detecting duplicate documents in a web crawl, where the crawler determines whether the content identifier is present in the history table which indicates whether an identical copy of the document in question has already been indexed under a different URL (Abstract section). The examiner characterizes that the goal of the claimed invention to alert the user of web pages that the user has already bookmarked as the user may then not re-bookmark the web page (see Specification, page 3, lines 5-9). Accordingly, the examiner interprets the disclosed indexing as equivalent to the claimed bookmark. Meyerzon discloses comparing retrieved document URLs to associated entries in the History Table and the URLs that are marked as having been crawled previously are ignored (col 4, lines 55-60).

Meyerzon does not expressly teach highlighting web pages, but does suggest it because Meyerzon does teach detecting duplication documents using content identifiers (col 8, lines 12-26) and if it finds an existing content identifier of the same value, it notifies the indexing engine of the duplicate (col 9, lines 19-22). It would have been obvious to one of ordinary skill in the art at the time of the invention to interpret Meyerzon's teaching of detecting duplication documents using content identifiers to avoid as equivalent to highlighting web pages, providing the benefit of improving the performance of indexing, since the duplicate document so not have to be indexed twice and presenting duplicate documents as one (col 8, lines 23-26).

Regarding independent claims 13, 14 and 15, Meyerzon teaches accessing a web page on the server on which web pages are arranged in categories are displayed and retrieving URLs of all web pages in a bookmark folder, the bookmark folder being stored either on a client or sever, the bookmark folder, if stored on the server, being enabled to be accessed by a plurality of users. For example, Meyerzon discloses during the crawl, the document address specifications of the retrieved URL documents are compared to associated entries in the History Table and the URLs are marked as having been crawled (or visited) (col 4, lines 55-60). Additionally, a web server connected to servers and clients, includes document stores where the crawler searches its own document store and those of remote servers and retrieves documents and associated data to index documents (col 7, lines 20-36).

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that are the same as the bookmarked web pages. For example, Meyerzon discloses a method for detecting duplicate documents in a web crawl, where the crawler determines whether the content identifier is present in the history table, which indicates whether an identical copy of the document in question has already been indexed under a different URL (Abstract section). The examiner characterizes that the goal of the claimed invention to alert the user of web pages that the user has already bookmarked as the user may then not re-bookmark the web page (see Specification, page 3, lines 5-9). Accordingly, the examiner interprets the disclosed indexing as equivalent to the claimed bookmark. Meyerzon discloses comparing retrieved document URLs to associated entries in the History Table and the URLs that are marked as having been crawled previously are ignored (col 4, lines 55-60).

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Regarding dependent claims 2, 5, 8 and 11, Meyerzon teaches the bookmark is on a client. For example, client computers gain access to web sites, where the search

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engine returns a list of documents to the browser and the user may then examine the list of documents at the user's client browser (col 7, lines 60-64). The examiner interprets the user's browser is executing on the user's client machine and the list of documents exists at the user's client machine.

Regarding dependent claims 3, 6, 9 and 12, Meyerzon teaches the bookmark folder is on a server. For example, the web crawler searches its own document store and those of remote servers for electronic documents 9col 7, lines 31-34).

Response to Arguments

Applicant's arguments with respect to claims 1-15 have been considered but are moot in view of the new ground(s) of rejection. Examiner asserts new grounds of rejections using the Meyerzon reference.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gautam Sain whose telephone number is 571-272-4096. The examiner can normally be reached on M-F 9-5 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on 571-272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Heather R. Herndon
Supervisory Patent Examiner
Technology Center 2100